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12 *Attorneys for Defendant*  
13 *IMPLICIT NETWORKS, INC.*

14 **UNITED STATES DISTRICT COURT**  
15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN FRANCISCO DIVISION**

17 SUN MICROSYSTEMS INCORPORATED,

18 Plaintiff,

19 v.

20 IMPLICIT NETWORKS, INC.

21 Defendant.

Case No. CV 09-0201 SI

**STIPULATION EXTENDING TIME  
FOR DEFENDANT IMPLICIT  
NETWORKS, INC. TO FILE ANSWER  
OR OTHER RESPONSIVE PLEADING**

22 Pursuant to Local Rule 6-1, Plaintiff Sun Microsystems Incorporated and Defendant  
23 Implicit Networks, Inc. hereby stipulate as follows:

24 WHEREAS, on or about January 15, 2009, Plaintiff filed its Complaint for  
25 Declaratory Judgment and Demand for Jury Trial ("Complaint"); and

26 WHEREAS, one previous extension of time to answer or otherwise respond to the  
27 Complaint has been granted pursuant to stipulation, which extended the due date by two  
28 weeks from February 9, 2009 to February 23, 2009, the date Defendant's response to the  
Complaint is presently due; and

WHEREAS, no trial date has yet been set in this action; and

1 WHEREAS, Defendant requires additional time to respond to the Complaint, and  
2 Plaintiff and Defendant, through their respective counsel of record, have agreed to extend the  
3 time by which Defendant must answer or otherwise respond to the Complaint by an  
4 additional one week, to and including March 2, 2009.

5 IT IS HEREBY STIPULATED by and between the parties hereto through their  
6 respective attorneys of record that Defendant will have to and including March 2, 2009, to  
7 serve and file an answer or other response to the Complaint. By entering into this stipulation,  
8 neither party waives any rights or defenses with respect to the issues presented in this  
9 litigation.

10 SO STIPULATED

11 Dated: February 23, 2009

FISH & RICHARDSON P.C.

12 /s/ Robert J. Kent

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14 Robert J. Kent (CA Bar No. 250905)

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18 Attorney for Plaintiff Sun Microsystems  
19 Incorporated

1 Dated: February 23, 2009

HOSIE RICE LLP

2 /s/ George F. Bishop

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10 Attorney for Defendant Implicit Networks, Inc.

11 **CERTIFICATION PURSUANT TO GENERAL ORDER 45**

12 Pursuant to General Order 45X.B, I, George Bishop, attest that the above  
13 signatory for plaintiff Sun, Microsystems, Inc. has concurred and consented to the filing  
14 of this document.

15 DATED: February 23, 2009

16 /s/ George F. Bishop

17 George F. Bishop

**ORDER**

Pursuant to the stipulation of the parties, it is hereby ORDERED that the time in which Defendant may serve and file an answer or other response to the Complaint is extended to and including March 2, 2009.

PURSUANT TO STIPULATION IT IS SO ORDERED

February \_\_, 2008



Honorable Susan Illston  
United States District Judge